

PS-10.03, "Inmate Representative Committee," January 1, 2008

SCDC POLICY/PROCEDURE

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TITLE:INMATE REPRESENTATIVECOMMITTEES

ISSUE DATE: JANUARY 1, 2008

RESPONSIBLE AUTHORITY: DIVISION OF INMATE SERVICES

OPERATIONS MANUAL:PROGRAM SERVICES

SUPERSEDES:PS-10.03 (February 1, 2004)

RELEVANT SCDC FORMS/SUPPLIES: 15-7, 15-22, 19-11, 19-113

ACA/CAC STANDARDS: 4-ACRS-7D-36, 4- 4014, 4-4016

STATE/FEDERAL STATUTES:NONE

PURPOSE: To establish guidelines for the management of Inmate Representative Committees (IRC) within the South Carolina Department of Corrections (SCDC).

POLICY STATEMENT: In order to promote the self-improvement of the inmate population, the SCDC will manage and allow inmates to participate in their respective institutional IRC as a privilege, as provided herein, but not otherwise. These committees will be used as a mechanism to promote communication between staff and inmates. The Agency reserves the right to restrict participation in any IRC due to legitimate concerns regarding security and safety. Each institution will have only one (1) IRC and will operate in accordance with established Agency policies/procedures, guidelines, and directives. (4-ACRS-7D-36, 4-4016)

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SPECIFIC PROCEDURES:

1.ELECTION PROCEDURES FOR POSITIONS IN THE IRC:

1.1 Each institution will be required to have an Inmate Representative Committee (IRC).

1.2 Each institutional IRC will be composed of at least one (1) inmate representative and one (1) alternate elected from each living area (cell block, unit, wing, ward, dorm, etc.). Apportionment of representation will be determined by the Warden, who will take into consideration the number of inmates in each living area and specialized population groups. In the event no one wishes to be considered for election to the IRC, then the current or newly elected representatives and alternates will recommend inmate(s) from those living area(s) to the IRC Staff Sponsor who will review and may make additional recommendations of inmates for appointment consideration by the Warden. The IRC appointment(s) will run concurrently with the other newly elected representatives and alternates. (NOTE: IRC representative and alternate appointments take the place of "Special Elections," as there will only be one [1] election per year. This option was implemented as a result of the frequent inmate transfers between institutions and/or living areas. The appointments are to ensure that inmate participation in the IRC is from as many living areas as possible. However, no inmate will be required to serve if s/he declines an invitation for appointment.) Pre-Release Center IRCs may have as few as three (3) members due to the smaller numbers of long-term residents and scheduling requirements of work programs.

1.3 Apportioned living area elections will be announced at least eight (8) working days in advance of election day. (NOTE: Refer to Appendix 1 for the criteria. The memorandum will be posted on bulletin boards accessible to inmates throughout the institution.)

1.4 Interested candidates must submit an SCDC Form 19-11, "Request to Staff Member," to the Warden/IRC Staff Sponsor within three (3) working days after the election announcement.

1.5 Qualified candidates' names will be posted in each living area at least five (5) working days before the election is held.

1.6 On the day of the election, the IRC Staff Sponsor, in conjunction with his/her staff designees, will conduct the election by secret ballot. Each living area election will be conducted separately under the supervision of the Staff Sponsor and appointed staff persons. The ballots will be delivered by a staff designee to the Warden or IRC Staff Sponsor for tabulation. An election may be challenged by any inmate assigned to the institution if s/he can produce factual documentation of fraud or of election irregularities which conflict with this policy/procedure. Challenges must be filed within 10 calendar days. The Warden/designee will provide all available information to the Chief, Volunteer Services and Inmate Committees Branch, who will determine the merits of the challenge and make a recommendation to the Division Director of Inmate Services, who will, in turn, either uphold the election or decide that the election must be held again. The election file will be maintained by the IRC Staff Sponsor for three (3) years. (NOTE: No election is necessary in living areas where an inmate is running uncontested. When there is only one [1] candidate, the name of the candidate will be posted in the affected living area for at least three [3] working days prior to the formal declaration of the selection being official.)

1.7 The Warden will post the names of elected ward/living area IRC representatives and alternates within three (3) working days after the election or appointments.

1.8 IRC members may serve no more than two (2) successive one (1) year terms. However, pre-release centers and institutions that house inmates sentenced under the Youthful Offender Act (YOA) may allow IRC members to serve unlimited successive terms if re-elected. Regular IRC elections for representatives and alternates will be held one (1) time per year during the month of July on a day and time designated by the Warden/designee. Although IRC members may succeed themselves in office for only one (1) successive full term, representatives who have served less than a full one (1) year term may, if re-elected, serve two (2) subsequent full terms of one (1) year each. The outgoing IRC Chairperson may serve in an advisory, non-voting capacity to the incoming Chairperson for a period of 30 days, with the approval of the Warden.

1.9 A vacancy on the IRC will occur if a representative or alternate is transferred, resigns, moves out of the living area s/he represents, or is removed from office.

1.10 In the event of a vacancy, the alternate will automatically assume the position of representative. The alternate may, if re-elected, serve an additional term of one (1) year as a representative and, if again re-elected, a subsequent one (1) year term. Should the alternate position already be vacant, an appointment will

be made.

1.11 Officers of each IRC will be elected by vote of the full IRC as vacancies occur. The Warden/designee will preside at elections, and a special meeting may be called for this purpose. For clarification, alternates serve in a voting capacity, but they cannot be nominated as an officer.

1.12 Inmates housed in the Special Management Unit, the Maximum Security Unit, Death Row, or the Safekeeper Unit will not be involved in the general population elections.

1.13 In the event of a tie, the IRC Staff Sponsor and appointed staff will hold another election only in the living area(s) affected. The ballot will only include those inmates who were involved in the tie. In the event of a second tie, the Warden will appoint one (1) of the inmate candidates to each of the positions of representative and alternate. The criteria for a tie applies also to officer positions.

2. CRITERIA FOR PARTICIPATION:

2.1 Any inmate who meets the following criteria is eligible to be elected to the IRC:

2.1.1 must have been assigned to the particular institution/center for at least six (6) consecutive months (See paragraph 2.2.1, below, for exceptions);

2.1.2 must have a disciplinary record free of major disciplinaries for at least two (2) years and no more than three (3) administrative disciplinaries for a period of at least six (6) months immediately prior to the date of appointment; (The date for determining the six (6) month minor disciplinary-free status will be the actual date of the last charge which resulted in a conviction, a failure to earn Good Time, or an adverse administrative hearing.)

2.1.3 must have established a good work record by maintaining continuous employment for at least one (1) year immediately preceding the date of the appointment; (NOTE: If an inmate misses work due to legitimate reasons [i.e., medical and/or dental appointments, medical no work status, court and/or parole hearings, and/or transfers not based on disciplinary reasons, etc.], s/he will be given credit for the purposes of meeting eligibility criteria. Further, inmates who are on a waiting list to work will be exempted from this eligibility requirement.)

2.1.4 must have at least 12 months projected remaining to serve at the institution (See paragraph 2.2.1, below, for exceptions);

2.1.5 must be willing to serve for a period of at least 12 months as an IRC member; and

2.1.6 must be accessible to the inmate population which s/he represents. (The Warden may use reasonable discretion when considering the inmate's job assignment as criteria for IRC duties.)

2.2 Waivers:

2.2.1 Qualifications for the IRC may be waived at the discretion of the Warden, with the concurrence of the Division Director of Inmate Services, under exceptional circumstances if such is deemed in the best interest of the IRC, the inmate population, and the Agency. An example of an exceptional circumstance is when the institution houses inmates who will be moved within the time requirements of Specific Procedure 2.1, 2.2, 2.3, 2.4, and 2.5. The waiver can be prepared for a specific year or as a one-time permanent waiver.

2.2.2 Qualifications for the IRC may be waived at the discretion of the Warden, with the concurrence of the Division Director of Inmate Services, when the population is shifting too rapidly to meet the time requirements of Specific Procedure 2.1, 2.2, 2.3, 2.4, and 2.5. The waiver can be prepared for a specific year or as a one-time permanent waiver.

2.2.3 Qualifications for the IRC may be waived at the discretion of the Warden, with the concurrence of the Division Director of Inmate Services, upon the opening of a newly constructed institution until such time as it is fully operational if such is deemed in the best interest of the IRC, the inmate population, and the Agency.

3. OFFICERS' DUTIES FOR IRC: Each IRC will have the following officers: Chairperson, Vice-Chairperson, Secretary, and Treasurer. The Chairperson is the only officer who serves in an at-large capacity within the institution and is eligible for an Earned Work Credit (EWC) position at the Warden's discretion. The IRC officers' duties and responsibilities are as follow:

3.1 Chairperson: The Chairperson will be elected from the IRC membership by majority vote of the full IRC and will serve at large, representing all areas of the institution. For clarification, at such time that an IRC representative is elected to the position of Chairperson, the alternate will fulfill the remainder of the term as the living area representative so that the Chairperson can assume the duties of representing the institution at large. The Chairperson will be responsible for all IRC work, to include memoranda, letters, minutes, and proposals of the IRC. The Chairperson, with approval of the Warden/designee, will be responsible for the implementation of all decisions made by the IRC. The Chairperson may, with the concurrence of the Staff Sponsor, assign additional duties as needed to the IRC officers. (4-ACRS-7D-36, 4-4016)

3.2 Vice-Chairperson (Alternate): The Vice-Chairperson will assume all duties and responsibilities in the absence of the Chairperson and will become Chairperson if the elected Chairperson is no longer able to serve. The Vice-Chairperson is not an at-large position, but rather represents the living area from which s/he was elected.

3.3 Secretary: The Secretary will record the minutes of all meetings. S/he may also maintain an up-to-date roster on all IRC members, will prepare IRC correspondence, and may publish statements/minutes/agendas of the IRC after approval by the Warden. S/he will maintain attendance records and notify the Warden/designee of any absences. The Secretary is not an at-large position, but rather represents the living area from which s/he was elected.

3.4 Treasurer: The Treasurer will keep records relating to all financial activities in conjunction with the IRC Staff Sponsor. The Treasurer is not an at-large position, but rather represents the living area from which s/he was elected.

4. STAFF SPONSOR:

4.1 A member of the institution's staff, chosen by the Warden, will serve as the Staff Sponsor of the IRC. This can be one (1) or more employee(s) and/or co-sponsor(s). The Chief, Volunteer Services and Inmate Committees Branch, will provide technical assistance as needed. (4-ACRS-7D-36, 4-4016)

4.2 Staff Sponsors will be responsible for:

4.2.1 maintaining a current membership roster which is updated by the IRC Secretary as changes occur; (The updated membership roster must be submitted to the Staff Sponsor when the changes occur. The Staff Sponsor will obtain approval from the Warden to ensure that each member and the number of members do not conflict with security, safety, and space availability for meetings. SCDC Form 19-113, "Official Outcount Roster," can be used for this purpose.)

4.2.2 reviewing all correspondence or other written material;

4.2.3 maintaining copies of all pertinent information, e.g., meeting minutes, outcount rosters, etc., for three (3) years for management review documentation;

4.2.4 ensuring that projects are scheduled at times which do not interfere with normal operations and programming, do not jeopardize security and safety, and are approved by the Warden;

4.2.5 ensuring that projects are appropriate and do not have the potential to embarrass, or bring discredit upon, the Agency;

4.2.6 all aspects of Service Fund-Raising projects listed in Procedure 8., below;

4.2.7 maintaining a Special Funds Account Ledger for the Service Fund-Raising Projects; (All monies from donations and fund-raising will be managed in accordance with the SCDC Policy/Procedure ADM-15.06, "Special Funds Accounts." Deposits from inmates' E. H. Cooper Trust Fund accounts into the IRC Special Funds Account must be higher than the amount withdrawn for items to be purchased for fund-raising during each quarter.) and

4.2.8 sending SCDC Form 15-22, "Special Funds Authorized Signatures," to the Financial Accounting Branch (for documentation of which SCDC employees are authorized to sign off on the purchases for the IRC).

5. MEETINGS:

5.1 The Warden/designee must pre-approve the time and location of each meeting.

5.2 Prior to any meeting, the IRC Chairperson must provide the Staff Sponsor with the updated list of all inmates who may be attending. The Staff Sponsor will review the list and obtain approval from the Warden/designee. Only those inmates qualified under this policy/procedure may attend meetings. (4-ACRS-7D-36, 4-4016)

5.3 The IRC may hold additional meetings when approved by the Warden/designee.

5.4 The IRC's Secretary will keep minutes of all meetings. The IRC Secretary or other assigned person will have access to an institutional typewriter. The minutes will be submitted to the Staff Sponsor for review and approval. The Staff Sponsor will maintain copies of the minutes for a period of three (3) years. Copies of all minutes will be placed in a central area, e.g., library or law library accessible to inmates throughout the institution. (4-ACRS-7D-36, 4-4016)

5.5 The typed minutes will cover, at a minimum, the following:

- 5.5.1 date and time of the meeting;

- 5.5.2 names of members present and absent;

- 5.5.3 reports and items on the agenda and a brief summary of action taken, not taken, or to be taken;

- 5.5.4 motions, when applicable (See Robert's Rules of Order):

- motions made,

- who made each motion and who seconded,

- vote results;

- 5.5.5 elections of officers, when applicable (See Robert's Rules of Order):

- nominations,

- vote results.

5.6 The IRC will meet with the Warden at least once each month. Additional meetings of the IRC beyond the regular monthly meeting may be called by the Warden/designee as necessary for special programs, to provide information, or to discuss new or changed Agency policies/procedures and, when appropriate, notification prior to implementation. (4-ACRS-7D-36, 4-4014, 4-4016)

6. ANNUAL MEAL:

6.1 IRC members may be allowed to have one (1) annual meal per calendar year when monies have been raised.

6.2 All annual meal requests must be submitted for approval to the Staff Sponsor prior to the date requested and must include the following if applicable:

- proposed date of annual meal;
- beginning and ending time of annual meal (limited to two [2] hours);
- proposed program;
- purpose and justification;
- proposed list of inmates who will be invited;
- proposed guest list (only sponsors, staff, and volunteers will be allowed);
- proposed guest speaker; (If the speaker is a political figure, then approval must be obtained in accordance with SCDC Policy/Procedure GA-02.01, "Inmate and Employee Relations with News Media and Others.")
- proposed location within institution;
- cost of meal per person (not to exceed \$10.00); and
- place for the IRC Staff Sponsor and Warden/designee's approval and/or disapproval.

7. SERVICE FUND-RAISING PROJECTS MONIES:

7.1 Fund-raising monies (e.g., debits to be made from individual inmate accounts) will be handled by the IRC Staff Sponsor/designee and deposited into the IRC Special Funds Account in accordance with SCDC Policy/Procedure ADM-15.06, "Special Funds Accounts."

7.2 Monies will not be utilized to make contributions, and/or to send expressions of concern/congratulations to SCDC employees, volunteers, or inmates' relatives/friends.

7.3 Profits created by the service fund-raising projects are to be used primarily for the benefit of the institution's general inmate population and/or the community. All service fund-raising projects must be agreed upon by a majority vote of the respective IRC and approved by the IRC Staff Sponsor, the Warden, and the Chief, Volunteer Services and Inmate Committees Branch.

7.4 Fund-raising monies will be proportionately divided and dispersed during the fiscal year as follows and is implemented to assist institutions due to the limited funding for such areas as Education, Hospice Care, Library Services, Recreation, TV Soundless System, Volunteer Recognition, etc.,

- 7.4.1 Ninety five percent (95%) of the service fund-raising project's gross income will be allocated to improve the quality of life at the institution primarily for the majority of the inmate population. These are primarily tangible improvements. However, a conservative amount of these funds may be utilized for non-tangible functions, e.g., Parent/Child Day, Fourth of July Activities, etc.; and even then, these should be done only once a quarter. Approval for these functions must be obtained from the Warden who will ensure that the activity does not interfere with security operational functions. In addition, funds from this area can be utilized for needed office supplies and an annual meal for IRC members when approved by the

Warden/designee. In addition, funds from this area can be utilized, when funding is available to support community charitable organizations. The respective IRC membership will, by a majority vote, determine which charitable organization(s) it wishes to donate such funds. However, prior to distribution of funds, the IRC Staff Sponsor and the Warden must approve such expenditure(s), ensuring that the charitable organization is an approved IRS 501(c)(3) non-profit organization(s). The IRC Staff Sponsor will prepare a letter for the Warden's signature to accompany each check. The letter will indicate that the IRC made the donation. In certain situations, donations may be made to organizations which do not meet the above criteria, such as donations to D.A.R.E., local schools, local E.M.S., etc. When the IRC wants to make this type of donation, a written request with justification must be forwarded through the IRC Staff Sponsor for the Warden's approval and then forwarded to the Chief, Volunteer Services and Inmate Committees Branch, for the Division Director of Inmate Services' concurrence. However, donations cannot be made to any advocacy organizations or groups whose purpose is the lobbying of the legislative body. These donations are for the benefit of helping the community agencies of South Carolina which do "good will" for others less fortunate.

7.4.2 ~~Five percent (5%)~~ Four and a half percent (4 1/2%) (Amended by Change 1, dated August 28, 2012.) of the service fund-raising project's gross income will be automatically deposited in to the Victim Services Special Funds Account #12101-221550 (Division of Victim Services). ~~on a weekly basis.~~ One half percent (.5%) of the service fundraising project's gross income will be automatically deposited in to the Central Office Volunteer Services Account #42101-220970 (Division of Inmate Services). (Amended by Change 2, dated October 3, 2012.)

7.4.3 Monies must be disbursed in accordance with the previous mentioned percentages. Special Funds Accounts' balances will not exceed \$7,500.00 on the Subsidiary Ledger for more than 120 days consecutively without written justification. As soon as a specific improvement is identified, a written letter of justification should be sent by the Warden to the Chief, Volunteer Services and Inmate Committees Branch, who will obtain the necessary approvals. Approval to exceed the limit will only be granted for specific institutional improvements which must be attainable within a two (2) year period. The justification letter should contain, at a minimum, the following:

- the specific institutional improvement(s);
- an itemized listing of the costs involved, to include a written quote;
- how long it will take to raise the funds, recognizing that the entire project must be completed within the two (2) year time frame;
- approval/disapproval signature lines for the IRC Staff Sponsor, the Warden, the Chief, Volunteer Services and Inmate Committees Branch, the Director for Programs & Services, and the Division Director of Operations.
- When an institutional Special Funds Account has been approved to exceed the \$7,500.00 limit, no other institutional improvement expenditures will be permitted, with the exception of approved on-going projects, until the project is complete. If the project is not completed within the two (2) year time frame, the money will be moved into a Special Funds Account controlled by the Division of Inmate Services. The

Staff Sponsor will have 30 days to submit a request through the Warden and the Chief, Volunteer Services and Inmate Committees Branch, to have the monies returned and submit a revised plan of improvement. This request must be submitted through the same chain of command. If at the end of thirty (30) days, the Chief, Volunteer Services and Inmate Committees Branch, has not received written justification on why the monies were not disbursed as approved, the money will be placed into the Volunteer Services and Inmate Committees Special Funds Account #42101-220970 to be utilized for recognizing the Agency's volunteers and assisting IRCs with institutional improvements.

8. SERVICE FUND-RAISING PROJECTS:

8.1 All Service Fund-Raising Project Proposals must be submitted to the IRC Staff Sponsor and the Warden for approval one (1) month before the project is to take place. (NOTE: Continue to utilize SCDC Form 10-3, "ISO or Chartered IO Project/Activity Proposal," until your form supply is depleted, making the appropriate changes on the form. When your form supply is depleted, utilize a memorandum which contains the information in Appendix 2.) For consistency, the IRC Staff Sponsor must obtain concurrence from the Chief, Volunteer Services and Inmate Committees Branch, for all Service Fund-Raising Projects prior to beginning the project. When service fund-raising projects are approved, they may continue until the Warden determines that the project is no longer needed or beneficial. (NOTE: There may be projects which are cyclic in nature and only need approval once.)

8.2 The IRC Staff Sponsor will record all financial activity in accordance with SCDC Policy/Procedure ADM-15.06, "Special Funds Accounts."

8.3 The IRC Staff Sponsor will be responsible for documenting and maintaining accurate information concerning the receipts and expenditures in accordance with SCDC Policy/Procedure ADM-15.06, "Special Funds Accounts."

8.4 The IRC Treasurer, in conjunction with the IRC Staff Sponsor, will maintain current written inventories of supplies (e.g., receipts, books, tickets, etc.) and fixed assets. (Continue to utilize SCDC Form 10-8, "Supply Inventory," and SCDC Form 10-10, "Fixed Assets Inventory," until your supply of forms is depleted, making the appropriate changes. When your supply of forms is depleted, you must ensure that written records are maintained. NOTE: Only if the IRC chooses to sell ice, pictures, picture frames, tumblers, and/or toilet paper, it is recognized that an expendable inventory will exist. These are the only projects that can maintain an inventory of items to sell unless the Warden requests approval from the Chief, Volunteer Services and Inmate Representative Committee Branch to make an exception.)

8.5 All Service Fund-Raising Projects must be based on the cashless system. Inmates assisting with the Service Fund - Raising Projects will not handle U.S. currency. Receipts (computer transactions) must be maintained on all sales or maintain a list with the inmate's full name and SCDC number for identification comparison. All tickets purchased must be used within two (2) months of the date and purchase, unless an

inmate is removed unfavorably from the living area where s/he purchased the ticket(s) for ice and/or pictures, in which case s/he forfeits claim to those tickets. This also pertains to the forfeit of any and all tickets for food, goods, etc., purchased through Service Fund-Raising Projects when an inmate is unfavorably removed. (NOTE: Inmates' accounts will be debited first; then the items will be purchased.) The IRC Staff Sponsor may make an exception to the time frame on a case by case basis.

8.6 The following are not allowed as Service Fund-Raising Projects:

- Any event held outside of its respective institution;
- A raffle, bingo, or any other game of chance;
- The showing of a video movie;
- The cash sale of foods to employees, volunteers, and visitors; and
- Car washes/waxes/steam cleaning.

8.7 Once a Service Fund-Raising Project is approved, it may continue until canceled by the Warden. (NOTE: There may be circumstances when projects are canceled by the Agency Director which will override the Warden.) Previously approved projects do not have to be re-submitted for approval.

8.8 Service Fund-Raising Projects will not interfere with the orderly operations and objectives of the Agency. The IRC Staff Sponsor should make every effort to utilize vendors who agree to deliver their merchandise to the institution in order to reduce the following:

- time that an employee spends being involved with the project; and
- fuel and maintenance expenses incurred with the use of a state vehicle.

8.9 Service Fund-Raising Project items will not be sold to anyone on credit or on a "chit" system. Items must be paid for in full before delivery. No partial payments will be accepted. The inmate who purchases the item must be the inmate receiving the item.

8.10 Service Fund-Raising Project items will not be sold at a discount to any SCDC employee or inmate.

8.11 If the IRC chooses to sell consumable items as a Service Fund-Raising Project, these items must be pre-packaged for direct distribution to the inmates. The primary exceptions will be ice, fruit, tumblers, and vegetables which can be bagged at the institution by the IRC. The Warden may request an exception to the Chief, Volunteer Services and Inmate Representative Committees Branch.

8.12 When an inmate purchases a picture or a ticket for a picture, it must be clearly communicated to him/her that this picture is to be taken with visitors only. In cases where there are several inmate family members assigned to the same institution, they may be permitted to be in the same picture. All other inmate group pictures are strictly prohibited. At the discretion of the Warden/designee, an inmate may be permitted to have his/her own individual picture taken. (NOTE: Film purchased as an IRC Service Fund-Raising Project may not be utilized for IRC Annual Meals, institutional investigations, education programs [e.g., graduations], etc.) The inmate purchasing the picture ticket must be in the pictures. All inmate pictures will be in accordance with SCDC Policy/Procedure OP-22.13, "Inmate Grooming Standards." When the picture

is taken, unless it is bad film, camera defect, or the fault of the camera person, the inmate may not have the picture re-taken, e.g., eyes are closed, all parties are not looking in the same direction, etc. In an effort to increase net profit, each IRC will move towards purchasing a digital camera.

8.13 Inmates may purchase Service Fund-Raising Project items as a privilege. If an inmate loses his/her canteen privileges in accordance with SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System", s/he will also lose the privilege of purchasing Service Fund-Raising Project items. If an inmate is transferred based on disciplinary reasons, then no refund will be made for items purchased. If an inmate is transferred based on non-disciplinary reasons, then s/he must submit an SCDC Form 19-11, "Request to Staff Member," requesting reimbursement within 15 days to the Warden/Designee of the institution where s/he purchased the tickets for the Service Fund-Raising Project item(s). If s/he fails to submit a written request within the 15 days, then s/he forfeits claim to any reimbursement. If tickets were provided, they must be returned with the reimbursement request. The IRC Staff Sponsor, with the concurrence of the Warden, may suspend or restrict an inmate's privilege to participate in Service Fund-Raising Projects when the inmate has abused this privilege, or in conjunction with a minor or major disciplinary infraction.

8.14 For consistency, effective December 1, 2002, the minimum amounts of profits will be implemented at all institutions:

- \$2.50 per picture (minimum);
- \$1.00 per bag of ice (minimum); and
- \$1.00 profit per item in fast food sales.

9. AUTHORIZED EXPENDITURES:

9.1 The Warden must sign SCDC Form 15-22, "Special Funds Authorized Signatures," to indicate which individuals are approved/authorized to sign off on purchases for the IRC.

9.2 Once approval has been obtained, purchases will be made according to the following procedures:

9.2.1 The IRC Staff Sponsor/designee will make all purchases.

9.2.2 The IRC Staff Sponsor/designee will contact the vendors and request a total price for merchandise, tax, and delivery.

9.2.3 The IRC Staff Sponsor will complete SCDC Form 15-7, "Special Funds Withdrawal," and send it to the Financial Accounting Branch for processing. All Special Funds withdrawals will be reviewed by the Chief, Volunteer Services and Inmate Committees Branch. If the Special Funds withdrawal is for institutional improvements, office supplies, or an annual meal, then the IRC Staff Sponsor should indicate this in the area to the left of the signatures required.

9.2.4 The IRC Staff Sponsor/designee will arrange to receive merchandise from the vendor after the Special Funds Accounts check is issued and received. See SCDC Policy/Procedure ADM-15.06, "Special Funds Accounts," for more information.

9.2.5 The Special Funds Accounts check will be given or mailed to the vendor the same day the merchandise is received unless the vendor requires payment prior to delivery.

9.2.6 Purchases will be made in the quantities approved by the Warden/designee. IRC Staff Sponsors are prohibited from completing transactions resulting in a cash refund. The only exceptions will be when prices have changed after the quote was obtained, resulting in a refund, or when the order has decreased, resulting in a refund. The refund will be deposited into the Special Funds Account in accordance with Agency procedures concerning the same.

9.3 Nothing may be purchased on credit.

9.4 Travel expenses or any other expenses will not be paid to any SCDC employee, volunteer, or visitor.

9.5 IRCs will not give gifts, plaques, trophies, or monetary support to inmates, SCDC employees, volunteers, or visitors, except when supporting Volunteer Recognition events.

9.6 IRC Staff Sponsors will not use their own money to make purchases for the IRC.

10. REMOVAL REASONS FROM IRCs: An IRC member may be removed by the Warden for the following reasons:

10.1 Any member may be removed if s/he is determined to be guilty of misconduct; persistent neglect of duty; or malfeasance, nonfeasance, or misfeasance; or if s/he has failed to demonstrate the capacity to properly discharge his/her duties.

10.2 A major disciplinary conviction will result in automatic removal. If, on appeal, the conviction is reversed, the member will be reinstated unless his/her term has already expired. For the purpose of this policy/procedure, major disciplinary actions entered into the computer system will result in removal. An IRC member who is charged with a major rules violation may be temporarily suspended by the Warden pending disposition on the charge(s). After the third minor disciplinary within six (6) months, an IRC member will be automatically removed.

10.3 Issuance of a warrant for criminal charges against a member for actions or activities alleged to have occurred during his/her incarceration will result in removal.

10.4 Any IRC member who does not attend a scheduled meeting must present a valid excuse (i.e., sick call, work detail, court appearance, etc.) to the IRC Staff Sponsor. A member who misses a monthly meeting with the Warden without a valid excuse will be notified in writing by the IRC Staff Sponsor that his/her membership is in jeopardy for failure to perform the duties to which s/he was elected. An unexcused absence for a second consecutive meeting will result in automatic dismissal from the IRC.

10.5 Reasons for removal must be documented appropriately and provided to the Warden/designee and the IRC Staff Sponsor. Appeal of removal based on this subsection only and/or complaints regarding the

legitimacy of removal under this subsection must be submitted to the Division Director of Inmate Services.

11. ASSESSMENTS:

11.1 An audit of the IRC's Special Funds Account records will be conducted by institutional staff whenever a Staff Sponsor change occurs. A copy of this audit will be sent to the Chief, Volunteer Services and Inmate Committees Branch.

11.2 To promote accountability a copy of the Special Funds Account Audit Report will be sent to the Chief, Volunteer Services and Inmate Committee Branch, on a quarterly basis by the 15th of January, April, July, and October. The Chief, Volunteer Services Committee Branch, will monitor the Special Funds Audit Report on a quarterly basis. The audits are to ensure the collection, safeguarding, and disbursements of monies in compliance with this policy.

12.OVERALL RESPONSIBILITY: Unless noted otherwise, each Warden will have overall responsibility for the IRC at his/her institution pursuant to this policy/procedure.

13. DEFINITION(S):

Inmate Representative Committees (herein referred to as IRC) refer to committees comprised of a body of inmates elected by the general inmate population. The IRC is a communicative channel for the administration with the inmate population. A component of the IRC will be to provide inmates with the opportunity to do Service Fund-Raising Projects. (4-ACRS-7D-36, 4-4016)

Service Fund-Raising Projects, a major component of the IRC, refer to raising money through authorized projects. The funds raised may be donated to Agency approved causes which have other sources of funding, e.g., school improvements, E.M.S., and charities which rely on donations, e.g., Buck-A-Cup, March of Dimes, Special Olympics, etc. A portion will be put towards needed institutional improvements that directly benefit the inmate population. This includes needed office supplies and annual meals.

SIGNATURE ON FILE

—

s/Jon E. Ozmint, Director

ORIGINAL SIGNED COPY MAINTAINED IN THE DIVISION OF POLICY DEVELOPMENT.

APPENDIX 1

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INSTITUTION

MEMORANDUM

TO: The Inmate Population

FROM: Warden

SUBJECT: NOTICE OF ELECTION FOR THE INMATE REPRESENTATIVE
COMMITTEE

DATE:

The annual election for positions on the Inmate Representative Committee (IRC) will be held on (add date of election) at (add time). All individuals interested in becoming a candidate for election must meet the following criteria:

1. Must have been assigned to the institution for at least six (6) consecutive months;
2. Must have a disciplinary record free of major disciplinaries for at least two (2) years and no more than three (3) administrative disciplinaries for a period of at least six (6) months immediately prior to the date of appointment;
3. Must have established a good work record by maintaining continuous employment for at least one (1) year immediately preceding the date of the appointment;
4. Must have at least 12 months projected remaining to serve at the institution;
5. Must be willing to serve for a period of at least 12 months as an IRC member; and
6. Must be accessible to the population which s/he will represent.

Anyone who meets this criteria and would like to run for office should submit a SCDC Form 19-11, "Request to Staff Member," to the IRC Staff Sponsor within three (3) working days after the announcement of the election. The IRC Staff Sponsor will then examine the potential candidate's record to ensure that s/he is fully qualified for office. At least five (5) working days prior to the election, the IRC Staff Sponsor will post the names of all qualified candidates on bulletin boards throughout the institution.

Warden

NOTE: Do not utilize the outdated SCDC forms as the criteria has changed.

APPENDIX 2

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
INSTITUTION
MEMORANDUM

TO: The (Inmate Representative Committee) IRC Staff Sponsor
The Warden
The Chief, Volunteer Services and Inmate Committees Branch

FROM: The Institutional IRC Chairperson

SUBJECT: SERVICE FUND-RAISING PROJECT(S) PROPOSAL

DATE:

On behalf of the IRC, we request permission to have the following Service Fund-Raising Project(s):

Examples of Service Fund-Raising Project(s) are: the picture taking project, the selling of consumable items, e.g., donuts, fast food items, ice, peanuts, etc., the selling of flowers for special occasions, etc.

We would like to sell pictures, consumable items, etc., on a weekly, monthly, bi-monthly, etc., basis. (Structure your sentence to your needs.)

We would like to begin this/these Service Fund-Raising Project(s) on ...

On behalf of the IRC, we appreciate you considering this/these Service Fund-Raising Project(s) for "name of institution."

Institutional IRC Chairperson/Date

APPROVED/DISAPPROVED:

IRC Staff Sponsor/Date

APPROVED/DISAPPROVED:

Warden/Date

CONCUR W/WARDEN'S APPROVAL
OR SUBMIT ADDITIONAL INFORMATION
OR CONFLICTS W/AGENCY POLICY:

Chief, Volunteer Services and
Inmate Committees Branch/Date